UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,236	10/16/2001	Frederick J. Kiko	01B-2049	4072

22447 7590 11/12/2003

DAVIS CHIN
16061 S. 94TH AVENUE
ORLAND HILLS, IL 60477-4623

EXAMINER	
PHAM, TUAN	
ART UNIT	**PAPER NUMBER**
2643	5

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/978,236	KIKO ET AL.	
	Examiner	Art Unit	
	TUAN A PHAM	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sun et al. (U.S. Patent No. 6,285,754, hereinafter "Sun").

Regarding claim 1, Sun teaches a TIE1.4 low pass filter circuit (see figure 4A, filter 150, col.6, ln.9-12) used in telecommunication systems for interconnecting between incoming telephone lines and a subscriber's telephone termination equipment (see figure 4A, telephone network 136, POTS device, col.5, ln.19-25) located at a subscriber's premises for blocking DSL signals so as to prevent interference problems

between DSL devices and the subscriber's termination equipment (see col.5, ln.19-34), the filter circuit comprising:

a first and a second inductors connected in series between a first input terminal and a first output terminal (see figure 4B, inductors 462);

the first inductor having its one end connected to the first input terminal and its other end connected to one end of the second inductor at a first common point , the second inductor having its other end connected to the first output terminal (see figure 4B);

a third and a four inductors connected in series between a second input terminal and a second output terminal (see figure 4B, inductors 462);

the third inductor having its one end connected to the second input terminal and its other end connected to one end of the fourth inductor at a second common point, the fourth inductor having its other end connected to the second output terminal (see figure 4B);

a first capacitor having its one end connected to the first common point and its other end connected to the second common point (see figure 4B, capacitor 406);

a second capacitor having its one end connected to the first common point and its other end connected to the first output terminal (see figure 4B, capacitor 461); and

a third capacitor having its one end connected to the second common point and its other end connected to the second output terminal (see figure 4B, capacitor 461).

Regarding claim 2, Sun further teaches a low pass filter wherein the first and third inductors have values on the order of 4.7 mH (see col.8, ln.1-6).

Regarding claim 3, Sun further teaches a low pass filter wherein the second and fourth inductors have values on the order of 4.3 mH (see col.8, ln.1-6).

Regarding claim 4, Sun further teaches a low pass filter wherein the first capacitor has a value on the order of 10 nF (see col.8, ln.1-11).

Regarding claim 5, Sun further teaches a low pass filter wherein the second and third capacitors have values on the order of 10 nF (see col.8, ln.1-11).

Regarding claim 6, Sun further teaches a low pass filter wherein the first inductor, second inductor and first capacitor function as a second-order low -pass filter section so as to block the DSL data signals from the termination equipment (see col.1, ln.65-67, col.2, ln.1-15).

Regarding claim 7, Sun further teaches a low pass filter wherein the second inductor, fourth inductor, second capacitor and third capacitor function as an elliptical filter section so as to block the DSL data signals in a frequency band of 25-35 KHz (see col.3, ln.64-67, col.4, ln.1-8).

Regarding claim 8, Sun further teaches a low pass filter wherein the first through fourth inductors and the first through third capacitors are housed in a modular type design (see col.3, ln.1-5, col.4, ln.55-61).

Regarding claim 9, Sun further teaches a low pass filter wherein the modular design is capable of self-installation by a subscriber (see col.3, ln.1-5, col.4, ln.55-61).

Regarding claim 10, Sun teaches a TIE1.4 low pass filter circuit (see figure 4A, low pass filter 150) used in telecommunication systems for interconnecting between incoming telephone lines and a subscriber's telephone termination equipment located at

a subscriber's premises (see col.2, ln.55-67) for blocking DSL signals so as to prevent interference problems between DSL devices and the subscriber's termination equipment (see col.5, ln.19-34), the compliant filter circuit comprising:

a low-pass filter section formed of first and second inductors and a first capacitor (see figure 4A, low pass filter 150, col.6, ln.9-15);

the first inductor having a first end connected to a first input terminal and a second end (see figure 4B, inductor 462);

the second inductor having a first end connected to a second input terminal and a second end (see figure 4B, inductor 462);

the first capacitor having a first end connected to the second end of the first inductor and having a second end connected to the second end of the second inductor (see figure 4B, inductors 462, capacitor 406);

an elliptical filter section formed of third and fourth inductors and second and third capacitors (see figure 4B, inductors 462, capacitors 461);

the third inductor and the second capacitor being connected in parallel and having their one end joined also to the second end of the first inductor and their other end joined to a first output terminal (see figure 4B, inductors 462, capacitors 461); and

the fourth inductor and the third capacitor being connected in parallel and having their one end joined also to the second end of the second inductor and their other end joined to a second output terminal (see figure 4B, inductors 462, capacitors 461).

Regarding claim 11, Sun further teaches a low pass filter wherein the first and the second inductors have value on the order of 4.7mH (see col.8, ln.1-6).

Regarding claim 12, Sun further teaches a low pass filter wherein the third and the four inductors have value on the order of 4.3mH (see col.8, ln.1-6).

Regarding claim 13, Sun further teaches a low pass filter wherein the first capacitor has a value on the order of 10 nF (see col.8, ln.1-11).

Regarding claim 14, Sun further teaches a low pass filter wherein the second and the third capacitors have a value on the order of 10 nF (see col.8, ln.1-11).

Regarding claim 15, Sun further teaches a low pass filter wherein the first through the fourth inductors and the first through the third capacitors are housed in a modular type design (see figure 4B, col.3, ln.1-5, col.4, ln.55-61).

Regarding claim 16, Sun further teaches a low pass filter wherein the modular design is capable of self-installation by a subscriber (see col.3, ln.1-5, col.4, ln.55-61).

Regarding claim 17, Sun further teaches a low pass filter wherein the modular type design includes a first modular input line jack for connection to the incoming telephone lines and a second modular output telephone jack for connection to the subscriber's termination equipment (see figure 1, figure 4B, splitter 130).

Regarding claim 18, Sun further teaches a low pass filter wherein the modular type design further includes a third modular output DSL pass-through jack for connection to the DSL devices (see figure 1, figure 4B, splitter 130).

Regarding claim 19, Sun further teaches a low pass filter wherein the modular type design includes a first modular input line jack for connection to the incoming

telephone lines and a second modular output telephone jack for connection to the subscriber's termination equipment (see figure 1, figure 4B).

Regarding claim 20, Sun further teaches a low pass filter wherein the modular type design further includes a third modular output DSL pass-through jack for connection to the DSL devices (see figure 1, figure 4B).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Bingel (U.S. Patent No. 5,848,150), Binder (U.S. Patent No. 6,560,319), and Binder (U.S. Patent No. 6,549,616) are not applied into this Office Action, they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the method and telephone outlet for allowing telephone and data equipment to be connected to a telephone line and the POTS filter.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987 and E-mail address is: **tuan.pham13@USPTO.GOV**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and

IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

Art Unit 2643

Date: November 7, 2003

Examiner

Tuan Pham

BINH TIEU
PRIMARY EXAMINER